

# IN THE SUPREME COURT OF ALABAMA



January 11, 2019

**1170567** Ex parte Mobile Infirmary Association d/b/a Mobile Infirmary Medical Center. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Lula Battle, as personal representative of the Estate of Willie Trainor-Battle, deceased v. Mobile Infirmary Association d/b/a Mobile Infirmary Medical Center) (Mobile Circuit Court: CV-15-900351).

## CERTIFICATE OF JUDGMENT

WHEREAS, the ruling on the application for rehearing filed in this case and indicated below was entered in this cause on January 11, 2019:

**Application Overruled. No Opinion.** Wise, J. - Bolin, Main, Bryan, Sellers, and Mendheim, JJ., concur. Parker and Shaw, JJ., and Thompson, Special Justice, dissent. Stuart, C.J., recuses herself.

WHEREAS, the appeal in the above referenced cause has been duly submitted and considered by the Supreme Court of Alabama and the judgment indicated below was entered in this cause on December 14, 2018:

**Petition Granted. Writ Issued.** Wise, J. - Bolin, Main, Bryan, Sellers, and Mendheim, JJ., concur. Parker and Shaw, JJ., and Thompson, Special Justice, dissent. Stuart, C.J., recuses herself.

NOW, THEREFORE, pursuant to Rule 41, Ala. R. App. P., IT IS HEREBY ORDERED that this Court's judgment in this cause is certified on this date. IT IS FURTHER ORDERED that, unless otherwise ordered by this Court or agreed upon by the parties, the costs of this cause are hereby taxed as provided by Rule 35, Ala. R. App. P.

I, Julia J. Weller, as Clerk of the Supreme Court of Alabama, do hereby certify that the foregoing is a full, true, and correct copy of the instrument(s) herewith set out as same appear(s) of record in said Court.

Witness my hand this 11th day of January, 2019.

A handwritten signature in cursive script that reads "Julia Jordan Weller".

Clerk, Supreme Court of Alabama